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## **Southeastern Legal Foundation Calls on U.S. Supreme Court to Take up Challenge to Executive Agency Overreach**

WASHINGTON, DC (Feb. 29, 2024): [Southeastern Legal Foundation](#) (SLF) filed an [amicus brief](#) today with the United States Supreme Court urging it to take up a case challenging executive agency overreach.

The Occupational Safety and Health Administration (OSHA) has broad authority to create, define, and enforce safety standards for nearly every business in America. That means that even small businesses like Allstates Refractory LLC, the challenger in this case, face tens of thousands of dollars in fines if it violates any one of OSHA's standards, even when the standards are inapplicable to their small business.

As SLF explains in its [brief](#), the Framers of our Constitution worked to stop tyranny by establishing separation of powers and checks and balances in the Constitution. The Framers made it clear that Congress could not delegate away all of its authority to the executive branch, but that is exactly what Congress is doing with the expansion of the administrative state—the “fourth branch” of government.

SLF Director of Legal Initiatives [Cece O'Leary](#) states, “Congress is not authorized to abdicate its duty by passing its authority along to the Executive. When it does, like it did here with OSHA, the judicial branch remains a necessary check to hold it accountable. We urge the Supreme Court to affirm Congress's duty to make laws and the Executive's duty to enforce them.”